

4/19/13  
Dominic Ali 81829  
138 East Milan Rd  
Berlin, NH 03570

U.S. District Court  
55 Pleasant St. R 110  
Concord, NH 03301-3941. 1:12-cv-00185-JL  
Case No, Ali v. N.H. Warden

Dear Mr; Clerk;

This case is pending with the N.H. Supreme Court under ground of ineffective assistance of counsel state and Federal Constitution and due process of law state and Federal. This case played a big role in my conviction and sentence, as I petition this court under doc 1:12-cv-00185-JL, 2254. I'm providing you all copies that I was not been aware of and kept away by my trial Counsels from the N.H. Public Defender's Office, who was under conflict of interest at the time of my trial and conviction. Trial Counsels knew of this issues and never present this issue to light that the Manchester District Court and N.H. Superior Court, Conbpy that he perjudice Mr. Ali case, On appeal.

With this copies, is the Agreement on  
 Bifurcation Fact finding at trial, that  
 Mr. Ali's incompetent trial Counsel agrees that  
 the trial Judge determine the element of  
 RSA 173-B:9V that Mr. Ali is challenging to  
 this day in this Court under due process of  
 Law. The N.H. Superior Court and the  
 Manchester District Court by Law should  
 have dismissed this petition of protective order.  
 Known this issue, trial Counsel and fear of  
 conflict of interest that one of there employee  
 grossly misinformed Mr. Ali, about the law in  
 the hearing of 9/28/04, with Mr. Ali is  
 challenging his incompetency under the 6th,  
 Amendment State of Federal Constitution.

Asking both these Courts for the transcript  
 of the hearing that lead these Court to  
 grant, the (Dvp) would allowed Mr. Ali to have  
 valuable impeachment tool. By Law, the Court  
 issued a hearing on 4/8/04, were Mr. Ali was at  
 the County Jail and was not allowed to appear  
 by the Court and neither Mr. Ali's Counsel.  
 The (Dvp) Should have been dismissed with no  
 question, and by Law, when the plaintiff  
 also failed to appear in Court. See;

(Dvp) was filed base upon lies or false statement for petition under RSA 173-B 3/19/08. Were Mr. Ali was allowed to appear and the plaintiff failed to appear, the petition was dismiss by the Court. I have a copy of that petition if needed by this Court in support of Mr. Ali issues and case.

Copy of these document or been send to the (N.H.S.C) as attachment in support of Mr. Ali's appeal, under 2254. IF there is no hearing set or testimony given, petition should have by dismissed. IF you have any Question please write back at anytime.

Respectfully Submitted,

Ali' Raminé

THE STATE OF NEW HAMPSHIRE  
SUPERIOR COURT

Hillsborough, ss

State of New Hampshire  
v-

Dominic Ali

Doc No. 04-M-440

MOTION FOR FUNDS FOR TRANSCRIPT

NOW COMES, Dominic Ali, survivor, respectfully requests this Honorable Court to grant this motion for the following reason states below;

Mr. Ali was charge with simple assault RSA 631:2-A class A misdemeanor and stalking Appen RSA 633:3-A class A misdemeanor on or about March 29, 2004.

This Court issued a Domestic Violence Final order issued pursuant to RSA 173-B:9, IV by the Honorable Court Carol Ann Conboy having consider the plaintiff petition (DVP) upon allege to the defendant Mr. Ali simple assault and stalking on or about March 29, 2004.

On April 1, 2004, Mr. Ali, was ordered to appear before the Court to answer to the complaint charging him simple assault and stalking that occurred on March 29, 2004. This Court issued a notice of hearing on April 8, 2004, for Mr. Ali and the plaintiffs to their testimony room both parties in which Mr. Ali was not allowed by the Court to provide his testimony in which this Court granted a petition for temporary order based on these charges, that on May 26, 2004, The Honorable Court Norman E. Champagne dismissed all charges. See; attachment or (EX 2)

Mr. Ali, has filed a petition for writ of habeas corpus in which he attacks the validity of the protective order and his conviction of the violation of a protective order in 2004, by the Goffstown District Court and also his sentence enhancement in 2008, 858 by this protective order, that was filed under false allegations when there was insufficient of fact to support the issuance of an Ex-parte Temporary Protective order to the plaintiff. This case is pending with the N.H. Supreme Court, see; Doc # 214-2012-CV-00178, Ali v. Reilly, Warden, N.H. NCF, and also, Ali v. Warden, NCF, Doc # 2013, 0855

The extra details from the hearing on 4/8/04 by the plaintiff's testimony are useful in the defense prepare for trial.

More generally, these transcripts are of value because there is a reasonable probability that a witness may deviate at trial from his or her prior testimony in this Court. Thus, the transcripts are a valuable impeachment tool.

The equal protection and due process protection of the 14th Amendment to U.S. Constitution and Part (1) Article (15) of this State Constitution entitle an indigent defendant to a transcript at the State's expense when transcript is of value to his defense and there is no available alternative. See; Griffin v. Illinois, 351 U.S. 12 (1956). State v. Cofsky, 129 N.H. 133 (1987).

Mr. Ali is unable to make more specific representation concerning the testimony at the Hearing on 4/8/04, at 1:30 pm. Federal law does not, however, require any more specific representation to entitle Mr. Ali to a transcript in these circumstances. See, Griffin & Britt v. North Carolina, 404 U.S. 226, 227 (1971). "There can be no doubt that the State must provide an

3 of 5 indigent defendant transcripts when that

transcript is needed for an effective defense or appeal: Bundy v. Wilson, 815 F.2d 125 (1st cir 1987).

The Court has also emphasized that the holding in the line of cases that began with Griffin, involving a criminal defense's right of access to a transcript are firmly rooted in both the due process and equal protection clauses of the 14<sup>th</sup> Amendment."

To the extent that state law may require more, it is in conflict with Federal law. Cf. State v. Brown, 143 NH 197 (1998).

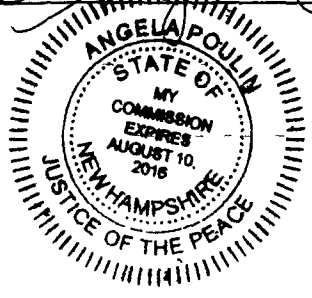
Mr. Ali has been informed that hearing transcripts would cost fees.

WHEREFORE, Dominic Ali, respectfully requests that this Court authorize the expenditure of the cost, so that Mr. Ali may obtain a transcript of the Temporary order and Notice of hearing on April 8th, 2004. 04-M-440-

### Certificate of Service

I, Dominic Ali, hereby certify that copy of this motion has been forwarded in the U.S. mail First class postage address on April 19, 2013, to AG's Office, also to (NH-SC) U.S. District Court.

Dominic Ali  
4/19/2013

04/19/13 Angela Poulis  


Dominic Ali  
Dominic Ali 81829  
138 East Milan Road  
Berlin, NH 03570  
C=File

## The State of New Hampshire

JUDICIAL BRANCH  
DOMESTIC VIOLENCE  
TEMPORARY ORDER AND NOTICE OF HEARING  
PURSUANT TO RSA 173-B

PNO 2160040046

Hillsborough County

Superior Court

## IN THE MATTER OF

04-M-440 Case/Docket No.

Loretta D. LeeRoy

v.

Dominic Ali

(Plaintiff's Name)

(Defendant's Name)

## Relationship to Defendant

☐ married☐ household member☐ separated☐ other☐ divorced☐ cohabit/cohabited☐ child in common

(Street Address)

(City, State, Zip)

(SSN)

The Court, having jurisdiction over the parties and subject matter under New Hampshire RSA 173-B (Protection of Persons from Domestic Violence), and having considered the Plaintiff's Domestic Violence Petition dated 3-29-04, hereby finds that the Plaintiff is in immediate and present danger of abuse as defined in RSA 173-B and makes the following **TEMPORARY ORDERS OF PROTECTION**:

1. ☒ The Defendant shall not abuse the Plaintiff.
2. ☒ The Defendant shall not have any contact with the Plaintiff, whether in person or through third persons, including but not limited to contact by telephone, letters, fax, e-mail, the sending or delivery of gifts or any other method unless specifically authorized by the Court.
3. ☒ The Defendant shall not enter the premises and curtilage where the Plaintiff resides, ~~except when the Defendant is accompanied by a peace officer and, upon reasonable notice to the Plaintiff, is allowed entry by the Plaintiff for the sole purpose of retrieving toiletries, medication, clothing, business equipment, and any other items as determined by the Court.~~
4. ☒ The Defendant shall not contact the Plaintiff at or enter upon Plaintiff's place of employment, school, or \_\_\_\_\_.
5. ☒ The Defendant shall not abuse Plaintiff's relatives (including children) regardless of their place of residence, or members of the Plaintiff's household.
6. ☒ The Defendant shall not take, convert or damage any property in which the Plaintiff has a legal or an equitable interest.
7. ☐ The Plaintiff is awarded custody of the minor child(ren); the Defendant may exercise the following visitation: \_\_\_\_\_
8. ☒ The Defendant shall relinquish to a peace officer all firearms and ammunition in his/her control, ownership or possession, and the Defendant is prohibited from purchasing or obtaining any firearms or ammunition during the pendency of this order.
9. ☐ The Defendant shall also relinquish all deadly weapons as defined in RSA 625:11,V which may have been used, intended to be used, threatened to be used or could be used in an incident of abuse. These weapons may include the following: \_\_\_\_\_
10. ☐ Other protective orders: \_\_\_\_\_

## FURTHER ORDERS:

11. ☐ Use of Vehicle: \_\_\_\_\_12. ☐ Other: \_\_\_\_\_

(Date)

603 669-7410

(Telephone Number of Court)

(Signature of Judge / Master Recommendation)

(Signature of Judge Approving Master's Recommendation)

Carol Ann Conboy

(Print / Type Name of Judge)

THESE ORDERS ARE EFFECTIVE IMMEDIATELY AND REMAIN IN EFFECT UNTIL FINAL ORDERS ARE MADE BY THE COURT. ANY WILLFUL VIOLATION OF THE PROTECTIVE PROVISIONS OF THESE ORDERS IS A CRIME AS WELL AS CONTEMPT OF COURT. VIOLATIONS SHALL RESULT IN ARREST AND MAY RESULT IN IMPRISONMENT. ALL FUTURE NOTICES AND ORDERS SHALL BE MAILED. BOTH PARTIES MUST KEEP THE COURT INFORMED OF CURRENT ADDRESSES.

## NOTICE OF HEARING

A hearing on this case will be held at the above Court on 4/8/04 (date) at 1:30 ~~xxx~~ p.m. The Plaintiff and Defendant are summoned to appear at the hearing. The Court will hear testimony from both parties. FINAL ORDERS may be issued at that time.

March 29, 2004

(Date)

(Clerk/Coordinator)

## NOTICE TO DEFENDANT

PURSUANT TO RSA 173-B:6, you have a right to a hearing on these temporary orders within five business days, but not earlier than three business days, after you file a written request with the Court. Unless you request this hearing in writing, the case will be heard on the date shown above.

## The State of New Hampshire

JUDICIAL BRANCH

PNO 2160040046

DOMESTIC VIOLENCE FINAL ORDER  
PURSUANT TO RSA 173-BHillsborough CountySuperior Court

IN THE MATTER OF

04-M-440 Case/Docket No.Loretta D. LeeRoy

(Plaintiff's Name)

v.

Dominic Ali

(Defendant's Name)

(UOI)

## RELATIONSHIP to DEFENDANT

- ☐ married ☐ household member  
☐ separated ☐ other \_\_\_\_\_  
☐ divorced \_\_\_\_\_  
☐ cohabit/cohabited \_\_\_\_\_  
☐ child in common \_\_\_\_\_

(Street Address)

(City, State)

(SSN)

The Court, having jurisdiction over the parties and subject matter under New Hampshire RSA 173-B (Protection of Persons from Domestic Violence), having considered the Plaintiff's Domestic Violence Petition and having conducted a hearing on 4-8-04, of which the Defendant received actual notice, and was \_\_\_ / was not X present, hereby finds that:

☐ The Plaintiff has NOT been abused: CASE DISMISSED.

☒ The Plaintiff has been abused as defined in RSA 173-B, and finds and makes the following final orders:

## PROTECTIVE ORDERS:

- ☒ The Defendant shall not abuse the Plaintiff.
- ☒ The Defendant shall not have any contact with the Plaintiff, whether in person or through third persons, including but not limited to contact by telephone, letters, fax, e-mail, the sending or delivery of gifts or any other method unless specifically authorized by the Court.
- ☒ The Plaintiff shall have exclusive use and possession of the parties' residence unless Paragraph 12 is checked.
- ☒ The Defendant shall not enter the premises and curtilage where the Plaintiff resides, except when the Defendant is accompanied by a peace officer and, upon reasonable notice to the Plaintiff, is allowed entry by the Plaintiff for the sole purpose of retrieving toiletries, medication, clothing, business equipment, and any other items as determined by the Court: \_\_\_\_\_
- ☒ The Defendant shall not contact the Plaintiff at or enter upon Plaintiff's place of employment or school, or as further specified herein: \_\_\_\_\_
- ☒ The Defendant is restrained from abusing Plaintiff's household members, or Plaintiff's relatives (regardless of their place of residence), and engaging in any other conduct which would place the Plaintiff in reasonable fear of bodily injury to the Plaintiff or the Plaintiff's household members or relatives.
- ☒ The Defendant shall not use, attempt to use or threaten to use physical force against the Plaintiff or the parties' child(ren) which would reasonably be expected to cause bodily injury.
- ☒ The Defendant shall not take, convert or damage any property in which the Plaintiff has a legal or an equitable interest.
- ☒ The Defendant shall relinquish to a peace officer all firearms and ammunition in his/her control, ownership or possession, and the Defendant is prohibited from purchasing or obtaining any firearms or ammunition during the pendency of this order.
- ☐ The Defendant shall also relinquish all deadly weapons as defined in RSA 625:11,V which may have been used, intended to be used, threatened to be used, or could be used in an incident of abuse. These weapons may include the following: \_\_\_\_\_
- ☐ Other protective orders: \_\_\_\_\_

A TRUE COPY:

ATTEST:

AOC-250-248 (12/99)

COPY DISTRIBUTION

☐ PLAINTIFF☐ DEFENDANT☐ LAW ENFORCEMENT☐ OTHER

RETURN

- 12 ☐ The Court finds that the Defendant exclusively owns or leases and pays for the premises located at \_\_\_\_\_ and that the Defendant has no legal duty to support the Plaintiff or minor children. Therefore the Defendant shall have exclusive access use and possession of the premises (including household furniture and furnishings). However, the Plaintiff may enter in and on said premise with a peace officer for the sole purpose of removing the Plaintiff's personal possessions.
- 13 ☐ The Plaintiff is awarded custody of the minor child(ren)
- 14 ☐ Visitation of children
- \_\_\_\_ No visitation pending further hearing
- \_\_\_\_ Unsupervised
- \_\_\_\_ Supervised by \_\_\_\_\_
- \_\_\_\_ Days and times \_\_\_\_\_
- \_\_\_\_ Pick up/Drop off at \_\_\_\_\_
- \_\_\_\_ Restrictions \_\_\_\_\_
- \_\_\_\_
- \_\_\_\_
- 15 ☐ The Defendant shall pay child support to the Plaintiff. (See Uniform Support Order (USO) attached)
- 16 ☐ The Plaintiff shall have use of the following vehicle:
- Make \_\_\_\_\_, Model \_\_\_\_\_, Year \_\_\_\_\_
- 17 ☐ The Defendant shall have use of the following vehicle:
- Make \_\_\_\_\_, Model \_\_\_\_\_; Year \_\_\_\_\_
- 18 ☐ The Defendant shall pay to the Plaintiff the amount of \$ \_\_\_\_\_ for losses suffered as a direct result of the abuse and \$ \_\_\_\_\_ for attorney's fees.
- 19 ☐ The Defendant shall attend \_\_\_\_\_ a batterer's intervention program and/or \_\_\_\_\_ personal counseling, for a period of \_\_\_\_\_ months/year.
- The Defendant shall provide proof of attendance to the Court at monthly intervals.
- 20 ☐ Other \_\_\_\_\_
- \_\_\_\_
- \_\_\_\_
- \_\_\_\_

(Date)

4-8-04

(Telephone Number of Court)

603-669-7410

(Signature of Judge / Master Recommendation)

(Signature of Judge Approving Master's Recommendation)

(Print/Type Name of Judge)

PHILIP P. MANGONES  
PRESIDING JUSTICE

THESE ORDERS ARE EFFECTIVE IMMEDIATELY AND REMAIN IN EFFECT FOR ONE YEAR. THE ORDERS MAY BE EXTENDED BY ORDER OF THE COURT UPON MOTION BY THE PLAINTIFF, SHOWING GOOD CAUSE, WITH NOTICE TO THE DEFENDANT. BOTH PARTIES SHALL ENSURE THAT THE COURT HAS A CURRENT ADDRESS DURING THE PENDENCY OF THESE ORDERS.

ANY WILLFUL VIOLATION OF THE PROTECTIVE PROVISIONS OF THESE ORDERS IS A CRIME AS WELL AS CONTEMPT OF COURT. VIOLATIONS SHALL RESULT IN ARREST AND MAY RESULT IN IMPRISONMENT.

Docket # 04 0312 FN # \_\_\_\_\_

## The State of New Hampshire

## COMPLAINT

04-23835

☒ DOMESTIC VIOLENCE RELATED☐ VIOLATION☒ CLASS A MISDEMEANOR  
☐ CLASS B☐ FELONY

YOU ARE HEREBY NOTIFIED TO APPEAR BEFORE SAID COURT

AT 08:15 O'CLOCK IN THE AM/PM ON XX April, 1 YR. 2004UNDER PENALTY OF LAW TO ANSWER TO A COMPLAINT  
CHARGING YOU WITH THE FOLLOWING OFFENSE: Manchester District Hillsborough

TO THE ..... COURT, COUNTY OF .....

THE UNDERSIGNED COMPLAINS THAT: PLEASE PRINT

NAME ..... MANCHESTER NH 03103 ..... IC.# .......... State ..... Zip .......... IC.# .......... 800 ..... 230 ..... WHITE ..... BRO .....  
Sex Race Height Weight Color of Hair Color of Eyes☐ COMM. VEH. ☐ COMM. DR. LIC. ☐ HAZ. MAT.AT 48 HENRIETTE ST MANCHESTER .....  
(Location)ON THE 27 DAY OF March YR. 2004 at 13:30 A.M.  
P.M.

on/at in said county and state, did commit the offense of .....

Simple Assault 631:2-A

..... contrary to RSA .....

and the laws of New Hampshire for which the defendant should be held to

answer, in that the defendant did  
knowingly cause unprivileged physical contact to Loretta Leeroy when he  
shoved her in the chest, knocking her down and then punched her twice

against the peace and dignity of the State.

☐ SERVED IN HANDChief John A Jaskolka Badge # 1

Complainant

Dept.

Personally appeared the above named complainant and made oath that the  
above complaint by him/her subscribed is, in his/her belief, true.DATE 4/1/2004

AOC 103A-045 7/00

COURT COPY

Justice of the Peace

Docket # 04-03121  
7-21-0  
Tr 31

EX A2)

Docket # **04 03122** TN # \_\_\_\_\_

**The State of New Hampshire**  
**COMPLAINT**

Docket # **04-03122**☒ DOMESTIC VIOLENCE RELATED**04 23835**☐ VIOLATION☒ CLASS A MISDEMEANOR  
☐ CLASS B☐ FELONY

YOU ARE HEREBY NOTIFIED TO APPEAR BEFORE SAID COURT  
AT 08:15 O'CLOCK IN THE AM/PM ON April, 1 YR. 2004  
UNDER PENALTY OF LAW TO ANSWER TO A COMPLAINT  
CHARGING YOU WITH THE FOLLOWING OFFENSE:

TO THE Manchester District COURT, COUNTY OF Hillsborough  
**7-21-04**  
**TY 301**

**THE UNDERSIGNED COMPLAINS THAT: PLEASE PRINT**NAME ALI, DOMINIC

First Name \_\_\_\_\_ Mi \_\_\_\_\_  
MANCHESTER NH 03103  
State \_\_\_\_\_ Zip \_\_\_\_\_

IC.# \_\_\_\_\_

<u>M</u>	<u>B</u>	<u>600</u>	<u>230</u>	WRITE OUT: <u>BLK</u>	<u>BRO</u>
Sex	Race	Height	Weight	Color of Hair	Color of Eyes

☐ COMM. VEH. ☐ COMM. DR. LIC. ☐ HAZ. MAT.AT 48 HENRIETTE ST MANCHESTER

ON THE 27 DAY OF March YR. 2004 at 13:30 A.M.  
P.M.

on/at in said county and state, did commit the offense of \_\_\_\_\_

Stalking - Appear 633:3-a

..... contrary to RSA .....

and the laws of New Hampshire for which the defendant should be held to

answer, in that the defendant did

knowingly engage in a course of conduct targeted at Loretta Leeroy which he  
knew would place her in fear for her personal safety when he was parked in  
front of her home as she returned from work at 0030hrs on 03-29-04. was  
parked out front again at 0010hrs on 03-30-04 and was parked in front of her  
home for the third time on 03-31-04 at 2349 hrs

against the peace and dignity of the State.

☐ SERVED IN HAND

Chief John A Jaskolka Badge# 1

Complainant

Dept.

Personally appeared the above named complainant and made oath that the  
above complaint by him/her subscribed is, in his/her belief, true.

DATE 4/1/2004

Justice of the Peace

**COURT COPY**

THE STATE OF NEW HAMPSHIRE  
HILLSBOROUGH COUNTY SUPERIOR COURT

HILLSBOROUGH, SS.

SEPTEMBER TERM, 2008

STATE

V.

DOMINIC ALI  
08-0858 and 08-0860

AGREEMENT ON BIFURCATED FACT-FINDING AT TRIAL

The parties in the above captioned matter agree that the jury in this case will not hear evidence related to the elements of R.S.A. 173-B:9, IV (c), specifically evidence related to the alleged prior conviction for violating a restraining order contained in indictments 08-0858 and 0860. Instead, the State will present any evidence on the elements of R.S.A. 173-B:9, IV (c) to the Court during trial but outside the presence of the jury. At the end of the evidence at trial, the parties request that the Court determine whether or not the State has proven the elements of R.S.A. 173-B:9, IV (c), contained in indictments 08-0858 and 08-0860, beyond a reasonable doubt.

The parties further agree that the following language contained in indictments 08-0858 and 08-0869 should not be read to the jury: "... *after having been previously convicted in the past six years of the crime of Violation of a Protective Order in the Goffstown District Court in the year 2004, and Dominic Ali lived with Sara N. on February 4, 2008 and Sara N. was the mother of his child...*"

Respectfully submitted,

14  
The State

14  
Counsel for Defendant

14  
Defendant

9/15/08  
Date

STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS  
NORTHERN DISTRICT

SUPERIOR COURT

DOCKET NOS. #08-S-0858-0865

STATE OF NEW HAMPSHIRE

VS.

DOMINIC ALI

SEP 22 2008

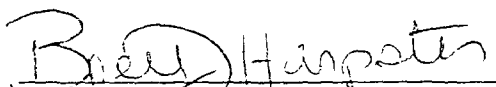
**STATE'S NOTICE OF INTENT TO INTRODUCE CERTIFIED RECORDS OF  
REGULARLY CONDUCTED ACTIVITY**

NOW COMES the State of New Hampshire, in the above-entitled matter, by and through the Hillsborough County Attorney's Office, and hereby submits its Notice of Intent to Introduce the following Certified Records of Regularly Conducted Activity pursuant to New Hampshire Rule of Evidence 902(11).

1. Certified copy of criminal conviction, Violation of Protective Order, Docket No. 04-1627, Goffstown District Court, Goffstown, NH


Dated: September 19, 2008

Respectfully submitted,

  
Brett J. Harpster, #15141  
Assistant County Attorney

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the within has been forwarded to Aileen O'Connell and Helen Sullivan, counsel for the defendant on September 19, 2008.

  
Brett J. Harpster  
Assistant County Attorney


Docket# 04 1627NSState of New Hampshire  
COMPLAINT☒ DOMESTIC VIOLENCE RELATED☐ VIOLATION☒ CLASS A MISDEMEANOR  
☐ CLASS B☐ FELONY

YOU ARE HEREBY NOTIFIED TO APPEAR BEFORE SAID COURT  
AT \_\_\_\_\_ O'CLOCK IN THE AM/PM ON \_\_\_\_\_ YR.  
UNDER PENALTY OF LAW TO ANSWER TO A COMPLAINT  
CHARGING YOU WITH THE FOLLOWING OFFENSE

TO THE Goffstown District Court, COUNTY OF Hillsborough

THE UNDERSIGNED COMPLAINS THAT: PLEASE PRINT

NAME Ali...Dominic.....  
First Name MiManchester..NH...03103.....  
State Zip01AIP84011.....  
WRITE OUT

<u>06</u>		<u>200</u>	<u>Black</u>	<u>Brown</u>
<small>Height</small>	<small>Weight</small>	<small>Color Hair</small>	<small>Color Eyes</small>	

☐ COMM. VEH.☐ COMM. DR LIC.☐ HAZ. MAT.

AT New..Boston.....  
(Location) XXXXX  
ON THE 29 DAY OF August.....YR 04..at 3:50.... PM.

on/at in said county and state, did commit the offense of Violation of....  
Protective Order.....contrary to RSA 173-B:9..

and the laws of New Hampshire for which the defendant should be held to answer, in

that the defendant did Knowingly violate a "Domestic  
Violence Final Order" issued pursuant to  
RSA 173-B case/docket # 04-M-440 on 4/08/04  
by the Superior Court- Hillsborough County  
by attempting to have contact with the  
defendant, Loretta Leeroy by telephone  
through a third party, Randy Boggess

( Enhanced penalty under RSA 597:14-b)  
against the peace and dignity of the State.

☐ SERVED IN HAND

Ali...Dominic.....  
Complainant Dept New Boston Police

Personally appeared the above named complainant and made oath that the above  
complaint by him/her subscribed is, in his/her belief, true

DATE 7/11/04.....  
Justice of the Peace

AOC-103 045 REV 7/00

COURT COPY

Docket#

A True Copy Attest:  
Goffstown District Court

By Robin Phelan

## The State of New Hampshire

Hillsborough

COUNTY

Goffstown District

COURT

04-CR-1513

NO

1627

ACKNOWLEDGMENT AND WAIVER OF RIGHTS  
CLASS A MISDEMEANORS

The statements made below shall apply to each and every complaint, if there be more than one, to which I intend to plead guilty or nolo

Septmbr 28 20 04

I, Dominic Ali of Manchester have been charged  
in the Goffstown District Court with the following offense(s): Violation of protective order

I understand that the complaint is one accusing me of a Class A Misdemeanor(s), and that I have the right to be represented by a lawyer of my own choosing and at my own expense, and that if I am unable to afford a lawyer, the court will appoint one for me subject to an order of reimbursement based on my ability to pay

☒ I am represented by Ryan Norwood, a lawyer admitted to practice in New Hampshire. I am satisfied with my lawyer and all explanations have been clear

☐ I do not want a lawyer. I understand and know what I am doing. I hereby waive my right to a lawyer.

I understand that I do not have to plead GUILTY or NOLO and that even after signing this form I still do not have to plead GUILTY or NOLO.

I understand that by pleading GUILTY or NOLO to the charge(s) that I am giving up the following constitutional rights as to the charges:

A True Copy Attest:  
Goffstown District Court  
Robyn [Signature]

**MY RIGHT** to a speedy and public trial.

**MY RIGHT** to see, hear, and question all witnesses. This gives me the opportunity and right to face the witnesses against me and question them myself or through my attorney. **MY RIGHT** to present evidence and call witnesses in my favor and to testify on my own behalf.

**MY RIGHT** to remain silent and not testify at a trial.

**MY RIGHT** to have the judge ORDER into court all evidence and witnesses in my favor.

**MY RIGHT** not to be convicted unless the State proves that I am guilty beyond a reasonable doubt with respect to all elements of the charge(s), which have been explained to me.

**MY RIGHT** to keep out evidence, including confessions, illegally obtained.

**MY RIGHT** to a trial before a jury and my right to appeal issues of law to the Supreme Court.

**I GIVE UP ALL THE ABOVE RIGHTS OF MY OWN FREE WILL**

I understand that by pleading **GUILTY** or NOLO I am admitting to or not contesting the truth of the charge(s) against me in the complaint(s) and that on the judge's acceptance of my **GUILTY** or NOLO plea, a conviction(s) will be entered against me.

No force has been used upon me, nor have any threats been made to me by any member of the Prosecutor's Office or anyone else to have me enter this plea of **GUILTY** or NOLO.

No promises have been made to me by any member of the Prosecutor's Office or anyone else in an effort to have me enter this plea of **GUILTY** or NOLO to the charge, except as follows:

Time Served - 29 days

However, I understand that the judge is not bound by the prosecutor's recommendation as to sentence, and that I may withdraw my plea if the judge exceeds the limits of a negotiated plea.

I understand as a consequence of my plea of GUILTY or NOLO that the judge may impose any sentence deemed appropriate in the judge's sole discretion, subject to a maximum penalty of one year in jail and a \$2,000 fine for each offense.

I understand that if I am convicted of stalking under RSA 633:3-a and have one or more prior stalking convictions in this state or another state when the second or subsequent offense occurs within seven years following the date of the first or prior offense, I shall be guilty of a class B felony.

I understand that if the complaint is one accusing me of a second offense of operating under the influence within ten years of a first conviction, I SHALL be guilty of a CLASS A MISDEMEANOR, shall be sentenced to confinement for a period of not less than ten consecutive days, three days to be served in the house of correction and seven days to be served at the Intervention Detention Center at my own expense, to be served within 21 days of sentencing. I understand that if I fail to complete the program, I shall be in contempt of court and shall serve a minimum of 30 days in the house of corrections. I may also be sentenced to imprisonment for up to a maximum period of one year, shall lose my license and/or right to operate for a minimum period of three years, shall be fined not less than \$500 and not more than \$2,000, and I may not have my license and/or right to operate restored until I furnish proof of financial responsibility to the New Hampshire Department of Motor Vehicles. If I am convicted of a subsequent driving under the influence charge after completing the program at the Intervention Detention Center, I shall be sentenced to no less than 30 consecutive days at the house of correction and must complete a 28-day treatment program at my own expense before my driving privileges are restored.

Should the complaint be one of aggravated driving while intoxicated, I shall be guilty of a CLASS A MISDEMEANOR, shall be fined not less than \$500 and not more than \$2,000, shall lose my license to operate for a period of not less than one year and not more than two years.

I understand that if I am convicted of driving after revocation or suspension of my license for operating under the influence first or subsequent offense or for aggravated driving while intoxicated, I shall be guilty of a CLASS A MISDEMEANOR, shall be sentenced to imprisonment for a period of not less than seven days and may be sentenced to imprisonment for up to a maximum period of one year, shall be fined not more than \$2,000, and shall have my license and/or right to operate revoked for an additional year.

Should the complaint be one involving an offense against the motor vehicle laws, and if I should have a record of as few as two other motor vehicle convictions, I understand that the State may seek to have me declared a HABITUAL OFFENDER; and as a consequence of being declared an habitual offender, I would lose my license to operate for one to four years. I realize that if I am found to be a habitual offender, it is my responsibility, at the end of the revocation period, to petition the Director, Division of Motor Vehicles, to restore my privilege to drive a motor vehicle. I understand that if I were to operate during that revocation period, or any time before my privilege to drive a motor vehicle is restored, then I would be subjecting myself to a mandatory prison term of not less than one year, and not more than five years.

Should the complaint be one of a Class A Misdemeanor theft of property not exceeding \$500, following two convictions upon such a charge, a third offense is chargeable as a FELONY.

I understand that if I am convicted of DWI four times in ten years, that the fourth conviction will be a FELONY and that I could be sentenced to imprisonment for up to seven years and a fine of up to \$4,000. I will also lose my license or right to operate for a minimum of seven years.

I understand the nature of the charge(s) against me and the maximum punishment that may be imposed. I am not under the influence of alcohol or drugs.

I understand the entire contents of the Acknowledgment of Rights, and I freely and voluntarily sign this form below. I also understand that I may have a copy of this form upon request.

9/28/10  
Date

[Signature]  
Defendant

\_\_\_\_\_  
Highest Educational Grade Completed

As counsel for the defendant, I have thoroughly explained to the defendant all the above, including the nature of the charge(s), the elements of the offense(s) which the State must prove beyond a reasonable doubt and the minimum and maximum penalties. I believe the defendant fully understands the meaning of the Acknowledgment of Rights, is not under the influence of drugs or alcohol, and knowingly waives all rights as set forth in this form.

9/28/10  
Date

[Signature]  
Counselor for the Defendant

I hereby certify that I have examined the Defendant concerning the plea entered in this case. Based upon that examination I find that the Defendant understands the nature of the charge(s), the minimum and maximum penalties which may be imposed therefore, and the elements of the offense(s); and I find that the Defendant is not under the influence of drugs or alcohol, and that the waiver of each rule set forth on this form is made intelligently, knowingly and voluntarily. I further find there is a factual basis for the Defendant's plea.

9/28/10  
Date

[Signature]  
Presiding Justice

CERTIFICATION

I, \_\_\_\_\_, of the Goffstown District Court, do hereby certify that the following certified copy of the criminal complaint, conviction, appearance of counsel and acknowledgment/waiver of rights form relative to the matter listed below:

State v. Dominic Ali

CONVICTION: Violation of Protective Order

DOCKET #: 04-1627

*are of documents*

1. The certified copies attached hereto ~~were~~ <sup>*are*</sup> made at or near the time of the occurrence of the matters set forth by a person with knowledge of those matters,
2. Was kept in the course of the regularly conducted activity; and
3. Was made by the regularly conducted activity as a regular practice.

Signed upon the pains and penalties of perjury this 9th day of September, 2008

Robert Pirella  
Authorized representative